REMARKS

Claims 1-11 and 21-31 are pending in this application.

Claim Rejections Under 35 USC §103(a)

Claims 1-11 and 21-31 were rejected under 35 U.S.C. 103(a) as being unpatentable

over *Reid* US Patent No. 6,182,226 ("Reid") and *Tachibana* US Patent 6,480,963

("Tachibana"). MPEP 706.02(j) states "...To establish a prima facie case of obviousness,

three basic criteria must be met. ... [The third criteria requires that] the prior art reference (or

references when combined) must teach or suggest all claim limitations." Reid and Tachibana

do not teach or suggest all claim limitations as discussed in the following remarks.

Second element of claim 1:
The second element of claim 1 discloses "issuing an issued network identifier for at

least one computer network." Neither Reid nor Tachibana teach or suggest this element.

According to the Office action, the "region identifier" of Reid col. 1, lines 57 to

column 2, line 27; column 4, line 47 to column 5, line 25; and column 16, line 20 to column

17, line 50 teaches or suggests the issued "network identifier" of claim 1. The definition of

"region" by Reid is found in Reid col. 4, lines 51-53: "Regions are groupings of physical

interfaces (network cards) and virtual networks (VPNs) into entities of similar trust." Reid

continues in col. 4, line 66 to col. 5, line 2: "Regions permit the group of networks and VPNs

that require the same type of security, thereby eliminating the need to enter multiple versions

of the same access rule for each network or VPN." Accordingly, a region identifier would

identify a set of networks, VPNs and entities that have similar levels of security or trust. A

region identifier may span several networks, or may identify one portion of a network and

another portion of a different network. Reid's firewall invention uses the region identifier,

inter alia, to determine what information require the same type of access (Reid, col. 5 lines 3-5; Reid col. 7, lines 35-41).

The "network identifier" of the present application, however, is issued to each individual computer network, as stated in paragraph [0006] of the specification. It is issued based upon active and passive network attributes as well as identity confidences, and not based upon levels of security (paragraph [0053], Figure 5 steps 518 and 520). A network identifier does not span different networks, nor is it assigned to a portion of a network. The last sentence of paragraph [0029] clearly illustrates the difference between the region identifier of Reid and the network identifier of claim 1: "For example, the firewall 206 may permit some types of computer network traffic to pass from the computer network 222 to the computer network 220 but block other types." In this example, the allowed and the blocked computer network traffic would have the same network identifier as they both originate from computer network 222, but would have different region identifiers per Reid as they have differing levels of security or trust for crossing the firewall.

This limitation of scope is provided in the second element of claim 1 by use of the word "network" to modify "identifier". Reid uses the word "region," not "network". As a region is not equivalent to a network, Reid does not disclose issuing an issued network identifier for at least one computer network as in claim 1.

Tachibana also does not disclose "an issued network identifier for at least one computer network" as his invention relates to secure data transmission within a single network (Tachibana col. 1, lines 8-18, col. 2, lines 51-54, col. 2, line 66 to col. 3, line 1) and not networking between multiple computer networks that would necessitate issuing network identifiers.

13

As neither Reid nor Tachibana teach or suggest the second element of claim 1, a

prima facie case of obviousness is not established by Reid and Tachibana.

Third element of claim 1:

Furthermore, neither Reid nor Tachibana teach or suggest the third element of claim 1

"determining an identity confidence for each issued network identifier". The Office action

has already established that Reid is not explicit about "identity confidence" in the sense of the

claim (Office Action of May 31, 2007, page 3, lines 3-4). The Office action cites Tachibana

(abstract, figure 2, 7-10, column 2, line 50 to column 3, line 25, column 7, line 6 to column

10, line 21) as teaching identity confidences.

The cited sections of Tachibana discuss a data "confidentiality level" (Tachibana Fig.

2 15b, Fig. 7 15b, etc.). The confidentiality level of Tachibana is a numerical value based

upon a company's security policy (Tachibana col. 1, lines 30-33, col. 1, lines 58-61), e.g.,

how confidential is this information, who should or should not have access to this

information, etc. The importance of information in relation to a company's security policy is

determined by people and assigned to stored data (Tachibana col. 8, lines 53-62) to be used in

secure data transmissions.

The "identity confidence" of the pending application, however, is not related to a

company's security policy, nor is its level determined by people. An identity confidence is

defined in paragraph [0037] of the specification as "a probability of correct identification of

one of the computer networks of which the network location awareness component 308 is

aware." The identity confidence, i.e., the probability that a network identity is actually what

the system thinks it to be, is determined by the system and based upon a comparison of

current and previous sets of network attributes as described by paragraph [0038], Figure 6

and [0054]-[0057], steps 710 and 708 of Figure 7, step 806 of Figure 8, steps 910 and 908 of

14

Figure 9, and step 1010 of Figure 10. These sections and figures of the pending application provide lengthy detail on the steps to determine and adjust the identity confidences associated with a network identifier.

Tachibana does not teach or suggest determining a probability of correct identification of one of the computer networks, as disclosed by the third element of claim 1. Therefore, Reid and Tachibana do not establish a *prima facie* case of obviousness for claim 1.

Claim 1 summary:

The pending application is patentable over Reid and Tachibana as it discloses a method and a system for determining and managing a network fingerprint to quickly and efficiently disambiguate computer networks. This has significant importance in today's mobile computing environments where computer networks and their attributes are dynamic. The method and system of the pending application uses past and present network attribute data to dynamically determine and manage the distinction between changing computer networks.

Reid does not provide a method to distinguish between computer networks. Reid's invention is directed to managing firewalls and does not address a method to automatically disambiguate computer networks and respond to changes in their network attributes. Tachibana is directed to secure data transmission within a single network and does not disclose multiple networks, let alone their determination and responding to their changes. As neither Reid nor Tachibana teach or suggest the second and the third elements of claim 1, they do not establish a *prima facie* case of obviousness. The Applicants believe that claim 1 is therefore allowable under 35 U.S.C. 103(a) as per MPEP 706.02(j) and patentable over Reid and Tachibana.

Claims 2-11 and 21-31:

Claims 2-11 depend on independent claim 1. Claim 1 is allowable 35 U.S.C. 103(a)

as Reid and Tachibana do not teach or suggest all elements of independent claim 1.

Therefore, dependent claims 2-11 are also allowable.

Claims 21-31 are system analogs of claims 1-11. For the reasons noted in the remarks

for claims 1-11, the Applicants believe that claims 21-31 are also patentable.
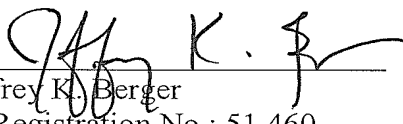
CONCLUSION

In view of the above amendment and arguments, the applicant submits the pending

application is in condition for allowance and an early action so indicating is respectfully

requested.

The Commissioner is authorized to charge any fee deficiency required by this

paper, or credit any overpayment, to Deposit Account No. 13-2855, under Order No.

30835/301726, from which the undersigned is authorized to draw.

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Respectfully submitted,

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